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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,034	09/26/2003	John Patrick Dorch	3092/1	7713
23638	7590	11/10/2005	EXAMINER	
ADAMS EVANS P.A. 2180 TWO WACHOVIA CENTER CHARLOTTE, NC 28282			VU, STEPHEN A	
		ART UNIT	PAPER NUMBER	3636
DATE MAILED: 11/10/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/672,034	DORTCH, JOHN PATRICK	
	Examiner Stephen A. Vu	Art Unit 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 9/26/03, 2/22/05, 5/13/05, 9/19/05.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Wu (# 6,241,317).

Wu shows a furniture assembly comprising a first arm piece having at least one connecting member extending outwardly and a frame defining at least one aperture.

With claim 2, the arm piece includes a rail defining at least one opening.

With claim 3, the connecting member has a carriage bolt inserted through the opening in the rail and held in place on the rail by frictional engagement with a first releasable fastening assembly.

With claim 4, the first fastening assembly comprises a flat washer, a lock washer and a nut.

With claim 5, the rail includes a side facing the frame having a countersunk area adjacent the opening.

With claim 6, the carriage bolt is positioned within the aperture of the frame and held in place within the frame by frictional engagement with a second releasable fastening assembly, whereby the arm piece is releasably connected to the frame.

With claim 7, the arm piece can be disconnected from the frame.

With claim 8, a second arm piece is releasably connected to the frame.

With claim 9, the frame is rectangular and the first arm piece and second arm piece are connected at opposite sides of the frame.

With claim 10, a seating support is mounted on the frame.

With claim 11, a back support is mounted on the frame.

With claim 12, the first arm piece includes two connecting members extending outwardly.

With claim 13, the furniture assembly comprises a sofa.

With claims 14 and 19, a method for making a knockdown furniture assembly comprises the steps of providing an arm piece defining at least one opening, inserting a connecting member through the arm piece opening and fastening the connecting member to the arm piece by frictionally engaging the connecting member with a first releasable fastening assembly, providing a frame defining an aperture, and inserting the connecting member through the frame aperture and fastening the connecting member to the frame by fictionally engaging the connecting member with a second releasable fastening assembly whereby the arm piece and the frame are releasably connected.

With claim 15, the step of mounting a seating segment is provided on the frame.

With claim 16, the step of upholstering the arm piece so as to leave the opening and the connecting member exposed.

With claim 17, the step of upholstering the frame is provided to leave the aperture exposed.

With claim 18, the step of upholstering the arm piece and the frame such that areas of the arm piece and the frame that contact to each other are left exposed.

With claim 20, the step of upholstering the arm piece is provided so that the first and second carriage bolts remained exposed.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. LaPointe et al, Moore et al, Berning, and Faxon are cited as showing similar types of furniture assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen A. Vu whose telephone number is 571-272-6862. The examiner can normally be reached on M-F from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stephen Vu  
November 8, 2005